

### **REMARKS**

The following remarks are submitted to be fully responsive to the Official Action dated December 20, 2005. This response is thus timely submitted within the three-month shortened statutory period for response. Should additional fees be required, the Commissioner is authorized to charge Kagan Binder Deposit Account No. 50-1775 and thereafter notify us of the same. Reconsideration of all outstanding grounds of the rejection and allowance of the subject application are believed in order and respectfully requested.

#### **Election/Restrictions**

In section 1 of the Office Action the Examiner indicated the acceptance of Applicants' prior election. Applicants acknowledge the withdrawal of claims 41-48 and the continued examination of claims 27-40.

#### **The Title**

In section 2 of the Office Action the Examiner indicated that the title is not descriptive and requests that a new title be provided. Applicants have amended the title to more closely reflect the subject matter of currently pending claims 27-40. Accordingly, Applicants respectfully request that the amendment to the Title be entered.

In Section 3 of the Office Action the Examiner indicated that the "abstract should have been revised to reflect the method invention." Applicants respectfully submit that the Examiner's point is now moot because claims 27-40 are directed to "[a] tray system for holding and positioning components." No claims are currently directed to an explicitly recited method.

#### **Drawings**

In Section 4 of the Office Action the Examiner objected to the drawings as not showing every feature of the invention in claim 27. To this assertion Applicants disagree.

Applicants respectfully submit that claim 27 is directed to "a tray system for holding and positioning components." One example of the tray system is depicted in FIGs 9-11 in which multiple trays 102 are shown stacked with component (suspension) A of FIG. 1 (represented by portions C, K, and E of suspension A) to be held and positioned by trays 102. Applicants refer the Examiner to page 12 of the Specification, lines 1-11 which explains the operational usage of

the multiple stacked trays for holding components and shipping to a manufacturer for placing in a processing apparatus.

Applicants submit that an example of “a first tray comprising a first side having at least one component receptacle and an opposite side having at least one component receptacle” is depicted in FIGs. 6-11. A first side of the tray is depicted in FIG. 6 which depicts a plan view of the top side of the tray with a repository 156 for holding a plurality of suspensions A (FIG.1). The repository 156 includes rows of base plate seats 162 and stakes 163 for holding suspensions A. Thus, the base plate seats 162 and stakes 163 are at least portions of component receptacles. That is, base plate seats 162 and stakes 163 are configured to receive components. Applicants direct the Examiner’s attention to the description in the Specification on page 34, lines 1-18 which describes the features of the top side of the tray 102. An opposite side of the tray 102 is depicted in FIG. 8, which depicts a bottom side of tray 102 having a repository 194 for holding suspensions (see Specification page 35, lines 14-16). Repository 194 comprises base plate seats 200 each with a second portion 172 for receiving collar K of suspension A. Repository 194 also comprises a load beam seat 204. Component receptacles are defined by base plate seats 200 and load beam seats 204. Applicants direct the Examiner’s attention to the Specification page 35, line 3 – page 36, line 10, which describes the features of the bottom side of the tray 102.

Applicants also submit that an example of “a second tray engageable with the first tray, the second tray comprising a first side having at least one component receptacle and an opposite side having at least one component receptacle” is depicted in FIGs. 6-11. The second tray is a duplicate of the first tray 102 as depicted in FIG. 9 in which a first tray 102 is depicted overlaying a second tray 102. The sides of the second tray are depicted as having the same component receptacles as the first tray as described above. Further, the second tray is shown engageable with the second tray in FIG. 9. Applicants direct the Examiner’s attention to the Specification page 34, line 14- page 35, line 2 which explains the stacking relationship of the trays 102.

Applicants further submit that limitations “the second side of the first tray” (depicted in FIG. 8), “is adjacent the first side of the second tray” (see the relationship of trays 102 in FIG. 9), “so that at least one component receptacle of the first side of the second tray is substantially aligned with at least one component receptacle of the second side of the first tray” (again see the relationship of trays 102 and the component receptacles aligning as shown in FIG. 9), and “for

cooperatively restraining the motion of a component positioned therein” (see, e.g., FIGs. 10 and 11 in combination with FIG. 9) are all depicted in the Figures.

Accordingly, Applicants respectfully submit that all of the claim features of claim 27 are depicted in the drawings at least as explained above. Applicants however note that the claims are not limited to the embodiment as explained above, rather the above explanation is being used to illustrate that the drawings at least meet the minimum requirements which the Examiner asserted that they did not.

Applicants have also provided a corrected replacement drawing sheet which includes FIG. 9 in which element number 102 was inadvertently omitted and which indicates the trays referred to above. Applicants respectfully submit that as the stacking relationship of the trays is clearly described and the structure of the trays is equally well described, the addition of element numbers 102 does not constitute new matter. No new matter is believed to be presented by this drawing change. Applicants therefore request the entry of the replacement drawing sheet.

#### **Specification**

In section 5 of the Office Action the Examiner objected to the specification as failing to fully describe the claimed features recited in claim 27. Applicants refer the Examiner to the above “Drawings” section in which it is fully explained how the specification (including the drawings) fully describes the features of claim 27 and further how the trays cooperate in a system for holding and positioning components. Accordingly, Applicants request that the objection to claim 27 be withdrawn.

The Examiner also objected to the first paragraph of the Specification as requiring updating of information pertaining to related applications. Applicants have amended the first paragraph of the Specification and request that the objection to the specification be withdrawn.

#### **Claim Rejections – 35 U.S.C. §112**

In section 7 of the Office Action the Examiner indicated that claims 27-40 are rejected to under 35 U.S.C. §112, first paragraph for failing to comply with the written description requirement. The Examiner states that the subject matter of claim 27 was not described in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed had possession of the claimed invention. To this assertion Applicants disagree. Applicants have element by element described how the FIGs. and Specification clearly

explain the claimed invention in the “Drawings” section above and therefore refer the Examiner to that section for the Applicants’ traversal of the 112 rejection. Accordingly, Applicants respectfully request that the rejection to claim 27 and its dependent claims be withdrawn.

In section 9 of the Office Action the Examiner rejected claims 27-40 under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Applicants have amended claim 27 to provide clarity in conjunction with the descriptions provided in the “Drawings” section above. Also, all the references in the claims to first and second trays, each having first and second sides with component receptacles are properly qualified by the additions of the words “the” in claim 27 which clarifies that “the at least one component receptacle of the first side of the second tray” refers to “at least one component receptacle” in line 6 of claim 27. Similarly, the amendment “at least one component, of the components,” clarifies the reference to the “components” in line 2 of claim 27. Therefore, Applicants respectfully request the withdrawal of the section 112, second paragraph rejection.


In section 10 of the Office Action the Examiner indicated that because of confusion and uncertainty no art rejections have been applied to claims 27-40. Applicants submit that as seen by Applicants arguments above, the specification provides a clear understanding as to the meaning of the claims. Moreover, the claim language is believed clear on its face. Therefore, Applicants request that if the Examiner deems art rejections are necessary in this case, such rejections should be provided to Applicants in a non-final Office Action, since Applicants do not believe that a substantive examination has yet been provided, at no fault of Applicants.

\* \* \* \* \*

Accordingly, it is submitted that presently pending claims 27-40 are currently in condition for allowance, a notice of which is earnestly solicited. If the Examiner finds any issue remaining after consideration of this response, the Examiner is invited to contact the undersigned, at the Examiner's convenience, in order to expedite any remaining prosecution.

Respectfully Submitted,

Dated: April 11, 2006

By: 

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**Amendments to the Drawings:**

Please replace originally filed Figure 9 with Replacement Figure 9. Replacement Figure 9 is attached to this Amendment and is identified as "Replacement Sheet" in the top margin.